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Attorneys for Defendants:

NATIONAL ASSOCIATION OF SECURITIES DEALERS,  
INC., NASDAQ STOCK MARKET, INC., THE AMERICAN  
STOCK EXCHANGE, LLC, AMERICAN STOCK  
EXCHANGE CLEARING LLC, AMERICAN STOCK  
EXCHANGE REALTY ASSOCIATES LLC and NEW YORK  
CITY INDUSTRIAL DEVELOPMENT AGENCY  
(REGARDING PROPERTIES LOCATED 1 LIBERTY  
PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY  
PLACE, NEW YORK, NEW YORK, ONLY)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 102 (AKH)

EDWIN SARMIENTO (AND WIFE, NORA SARMIENTO), Index No.: 07-CV-4515

Plaintiff(s),

-against-

160 WATER ST., INC., *et al.*,

Defendant(s).

**NOTICE OF ADOPTION OF  
ANSWER TO MASTER  
COMPLAINT**

**ELECTRONICALLY FILED**

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PLEASE TAKE NOTICE that Defendants, NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., THE AMERICAN STOCK EXCHANGE, LLC, AMERICAN STOCK EXCHANGE CLEARING LLC, AMERICAN STOCK EXCHANGE REALTY ASSOCIATES LLC and NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY (REGARDING PROPERTIES LOCATED 1 LIBERTY PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY PLACE, NEW YORK, NEW YORK, ONLY), by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated August 10, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendants, NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., THE AMERICAN STOCK EXCHANGE, LLC, AMERICAN STOCK EXCHANGE CLEARING LLC, AMERICAN STOCK EXCHANGE REALTY ASSOCIATES LLC and NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY (REGARDING PROPERTIES LOCATED 1 LIBERTY PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY PLACE, NEW YORK, NEW YORK, ONLY), by their attorneys, McGIVNEY & KLUGER, P.C., demand judgment dismissing the above-captioned action as against them, together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
September 13, 2007

Yours etc.,

McGIVNEY & KLUGER, P.C.  
Attorneys for Defendants  
NATIONAL ASSOCIATION OF SECURITIES  
DEALERS, INC., NASDAQ STOCK MARKET, INC.,  
THE AMERICAN STOCK EXCHANGE, LLC,  
AMERICAN STOCK EXCHANGE CLEARING LLC,  
AMERICAN STOCK EXCHANGE REALTY  
ASSOCIATES LLC and NEW YORK CITY  
INDUSTRIAL DEVELOPMENT AGENCY  
(REGARDING PROPERTIES LOCATED 1 LIBERTY  
PLAZA, NEW YORK, NEW YORK AND 78/86  
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By: 

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TO: WORBY GRONER & NAPOLI BERN, LLP  
Plaintiffs Liaison  
In Re Lower Manhattan Disaster Site  
Litigation  
115 Broadway, 12th Floor  
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All Defense Counsel